

**DURHAM, NORTH CAROLINA
MONDAY, MARCH 20, 2006
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Absent: None.

Also present: City Manager Patrick Baker, Assistant City Attorney Karen Sindelar, City Clerk D. Ann Gray and Deputy City Clerk Linda Bratcher.

Mayor Pro Tempore Cole-McFadden called the meeting to order with a moment of silent meditation and the Pledge of Allegiance led by Council Member Clement.

Mayor Pro Tempore Cole-McFadden asked for priority items from the City Manager, City Attorney and City Clerk. City Manager Baker requested that GBA #20 [Sale and Financing of 1018 Burch Avenue to Durham Community Land Trustees, Inc. (DCLT)] be referred back to the administration, GBA #24 [2005 Year-End Crime Report] be heard at the beginning of the meeting. On behalf of Mayor Pro Tempore Cole-McFadden, City Manager Baker requested that an item be added to the agenda regarding a proposal to transfer \$9,906 from Council's contingency fund for fees associated with renting the Carolina Theatre for the production, the play *Perilous Times* by students and staff at Hillside High School

Also, he recognized the Human Resources Department for receiving the Excellence in Human Resources Award for its re-entry hiring program from the North Carolina Chapter of the International Personnel Management Association. Also, he acknowledged Diane Ragin, of Human Resources, for the great work she has done with this program.

MOTION by Council Member Clement seconded by Council Member Catotti to accept the City Manager's priority items was approved at 7:05 p.m. by the following vote: Ayes: Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent at time of Vote: Mayor Bell.

There were no priority items from the City Attorney and City Clerk.

Council Member Clement recognized Justin Gorham and his family for his academic and athletic achievements at Hillside High School. He noted Justin was honored by North Carolina State University as a Parks Scholar, currently tied valedictorian with a 4.7 grade point average and combined SAT score of 2,110 out of 2,400 and highlighted activities/organizations he is involved with and stated he will be attending North Carolina State University.

Relative to the item that was added to the agenda, Mayor Pro Tempore Cole-McFadden introduced the Hillside High School drama team. She noted in November she had the opportunity to see the production of *Perilous Times* that was held at Hillside High School and

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she wanted to see it at the Carolina Theatre. She noted the amount requested would underwrite the technical portion of the play production by the staff and students at Hillside High School and stated this play would be a good tool for gang intervention, gang prevention and to showcase the talent that we have in the City of Durham.

Wendell Tabb, of Hillside High School, gave a summary of the play *Perilous Times*. He noted students have had their lives changed because of *Perilous Times* and this play is about choices and making the right choice is what we want to instill in the young people who will have an opportunity to make a difference in the City of Durham.

Council Member Clement announced that the issue of closing Hillside and Southern High Schools will be discussed at the March 23, 2006 Work Session regarding what we may do as a community to save these high schools.

Mayor Bell noted he was late due to attending a meeting in Greensboro.

Council Member Woodard congratulated and thanked the organizers of the 32nd Annual Crop Walk event that took place on Sunday, March 19 on the Duke Campus and in the Walltown Neighborhood.

Mayor Pro Tempore Cole-McFadden reported on her attendance at the National League of Cities Conference held in Washington, DC last week. She noted the City of Durham was honored at the Annual Cultural Diversity Awards Breakfast for the Mayor's Hispanic and Latino Initiative program and made comments on the Career Day Event she attended at Merrick-Moore Elementary School on Friday.

Mayor Bell asked if any citizen(s) or council member(s) wanted to pull any items from the Consent Agenda. Consent Agenda Items 18 [HOME CHDO (Community Housing Development Organization) Grant Agreement with Rebuild Durham, Inc.] and 19 [Community Development Block Grant Sub-recipient Agreement – Durham Affordable Housing Coalition, Minor Home Repair Program] were pulled.

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to approve the Consent Agenda as amended was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

[CONSENT AGENDA]

SUBJECT: APPROVAL OF CITY COUNCIL MINUTES

MOTION by Mayor Pro Tempore Cole-McFadden seconded by **Council** Member Woodard to approve City Council minutes for the February 20, 2006 City Council Meeting; and

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To approve City Council action taken at the February 9, 2006 Work Session was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: HOUSING APPEALS BOARD – RECEIPT AND ACCEPTANCE OF AN APPLICATION

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to receive and accept an application for a citizen to fill one (1) vacancy on the Housing Appeals Board to represent the category of Finance with a term to expire on June 30, 2008 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: PASSENGER VEHICLE FOR HIRE COMMISSION - REAPPOINTMENT

MOTION by Mayor Pro Tempore Cole-McFadden seconded by **Council** Member Woodard to reappoint Kwakou Asinia Shakur to the Passenger Vehicle for Hire Commission to represent a Taxicab Operating Permit Holder with a term to expire on January 1, 2009 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: DURHAM OPEN SPACE & TRAILS COMMISSION – APPOINTMENT

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to appoint Josie McNeil Owen to fill one (1) vacancy on the Durham Open Space & Trails Commission to represent At-Large with the term to expire on June 30, 2008 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: DESIGN DISTRICT REVIEW TEAM – RECEIPT AND ACCEPTANCE OF AN APPLICATION

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to receive and accept an application for a citizen to fill one (1) vacancy on the Design District Review Team to represent a landscape architect with a term to expire on January 31, 2007 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: DURHAM HOUSING AUTHORITY - APPOINTMENTS

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To appoint citizens to fill four (4) vacancies on the Durham Housing Authority with one (1) term expiring on September 28, 2007, one (1) term expiring on September 28, 2009 and two (2) terms expiring on September 28, 2010. At least one of these members shall be a person who is directly assisted by the public housing authority.

Note: This item was deferred to the March 23, 2006 Work Session.

SUBJECT: BID REPORT - JANUARY 2006

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to receive a report and to record into the minutes, bids which were acted upon by the City Manager during the month of January 2006 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

CITY OF DURHAM NORTH CAROLINA

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MEMO TO: Patrick Baker, City Manager

THROUGH: Kenneth C. Pennoyer, Finance Director

FROM: Joseph W. Clark, Purchasing Manager

SUBJECT: Bid Report – January 2006

To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of January 2006.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

1. **Bid: Cisco Router & Misc. Equipment**

Purpose of Bid: To provide the Technology Solutions Department with a Cisco Router & Misc. Equipment

Comments:

Opened: November 23, 2005

Bidders:	Avnet Enterprise Solutions	* \$16,260.79
	Raleigh, NC	
	4Front Systems	\$16,382.00

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Morrisville, NC
Verizon
Durham, NC \$17,476.22

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	5355		# Black Males	126	2%
Total # Females	2404	45%	# White Males	2242	42%
Total # Males	2951	55%	# Other Males	583	11%
			# Black Females	133	2%
			# White Females	1677	31%
			# Other Females	594	12%

The SDBE Data Base was used in the solicitation of bids for this item.

2. **Bid:** **Rapid Response Sewer Cleaner Trailer Mounted**

Purpose of Bid: To provide the Water & Sewer Maintenance Division with a Rapid Response Sewer Cleaner.

Comments:

Opened:	December 19, 2005	
Bidders:	Bruder/Sharpe, Inc.	* \$32,295.00
	Madison, NC	
	Jet-Vac Sewer Equipment Co.	\$32,455.13
	Sumter, SC	
	U. S. Jetting	\$33,995.00
	Alpharetta, GA	

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	5		# Black Males	0	0%
Total # Females	1	20%	# White Males	4	80%
Total # Males	4	80%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	20%
			# Other Females	0	0%

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The SDBE Data Base was used in the solicitation of bids for this item.

3. Bid: 70' Hydraulic Articulating Aerial Device

Purpose of Bid: To provide the Urban Forestry Division with a 70' Hydraulic Articulating Aerial Device to be used in their tree maintenance program.

Comments:

Opened: January 9, 2006

Bidders:	Altec Industries, Inc.	* \$75,201.00
	Creedmoor, NC	
	Terex Utilities South	\$81,312.00
	Glen Allen, VA	

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	2796		# Black Males	230	8.2%
Total # Females	361	12.9%	# White Males	2110	75.5%
Total # Males	2435	87.1%	# Other Males	95	3.4%
			# Black Females	42	1.5%
			# White Females	301	10.8%
			# Other Females	18	0.6%

The SDBE Data Base was used in the solicitation of bids for this item.

4. Bid: Used 10 Ton Roller

Purpose of Bid: To provide the Street Maintenance Division with a 10 ton roller.

Comments:

Opened: January 31, 2006

Bidders:	Arrow Equipment, LLC	* \$49,900.00
	Greensboro, NC	
	R. W. Moore Equipment Company	\$84,000.00
	Raleigh, NC	

*Awarded based on: X Low Bid _____ Other (See Comments)

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WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	25		# Black Males	0	0%
Total # Females	3	12%	# White Males	21	84%
Total # Males	22	88%	# Other Males	1	4%
			# Black Females	1	4%
			# White Females	2	8%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

5. **Bid: 25 Ton Equipment Trailer**

Purpose of Bid: To provide the Storm Water Maintenance Division with an equipment trailer

Comments:

Opened: February 1, 2006

Bidders:	R.W. Moore Equipment Company	* \$20,229.00
	Raleigh, NC	
	James River Equipment Company	\$24,500.00
	Wilkesboro, NC	

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	70		# Black Males	7	10%
Total # Females	10	14%	# White Males	53	76%
Total # Males	60	86%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	10	14%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

6. **Bid: 12 Ton Equipment Trailer**

Purpose of Bid: To provide the Street Maintenance Division with an equipment trailer.

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Comments:

Opened: February 1, 2006

Bidders: Revels Tractor Company * \$12,476.00
Fuquay, NC
R.W. Moore Equipment Co. \$14,823.00
Raleigh, NC

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	96		# Black Males	12	12%
Total # Females	17	18%	# White Males	66	69%
Total # Males	79	82%	# Other Males	1	1%
			# Black Females	0	0%
			# White Females	17	18%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

7. Bid: Two (2) 8,600 GVWR 4X4 Pickup Trucks

Purpose of Bid: To provide the Water & Sewer Maintenance Division with pickup trucks

Comments: Two trucks at \$18,430 each

Opened: February 1, 2006

Bidders: University Ford * \$36,860.00
Durham, NC
Rick Hendrick Chevrolet \$38,166.00
Durham, NC
Randy Marion Chevrolet \$39,936.00
 Mooresville, NC

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	201		# Black Males	19	9%
Total # Females	26	13%	# White Males	153	77%

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Total # Males	175	87%	# Other Males	3	1%
			# Black Females	2	1%
			# White Females	24	12%
			# Other Females	0	0%

The SDBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (*).

JWC:lm

SUBJECT: BIDS – COMPACT MOTOR GRADER - ARROW EQUIPMENT, LLC

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to accept the bid from Arrow Equipment, LLC, in the amount of \$102,988 for providing the City with a Compact Motor Grader; and

To authorize the City Manager to enter into a contract with Arrow Equipment, LLC, in the amount of \$102,988, for providing the City with a Compact Motor Grader; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: PIGGYBACK PURCHASE – TWO TANDEM AXLE TRUCKS - INTERNATIONAL TRUCK AND ENGINE CORPORATION

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to authorize the City Manager to enter into a contract with International Truck and Engine Corporation, in the amount of \$121,974, for providing the City with two Tandem Axle Trucks; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: MAJOR SITE PLAN AND PRELIMINARY PLAT – WYNTERFIELD II TOWNHOUSES (D05-682)

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MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to approve a major site plan and preliminary plat for “Wynterfield II Townhouses”, submitted by Arcadis G & M of N.C., Inc., on behalf of Beazer Homes for 144 townhouse units and related infrastructure on an 18.12 acre site zoned OI, the property is located west of NC 55 and north of Courtney Creek Drive, PIN 0739-01-37-1332, 0739-01-29-3848 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: PARRISH STREET ADVOCACY GROUP "BUSINESS DEVELOPMENT STRATEGY" FOR A NEW ERA ON PARRISH STREET

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to approve the direction set forth in Business Development Strategy for a New Era on Parrish Street and the necessary steps for its implementation was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: CONTINUATION OF ORDINANCE TO PROMOTE EQUAL BUSINESS OPPORTUNITY IN CITY CONTRACTING AND EBOP ADVISORY BOARD

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to adopt an Ordinance Extending the Sunset Period for the Ordinance to Promote Equal Business Opportunity in City Contracting; and

To adopt a Resolution Extending the Existence of the EBOP Advisory Committee was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

Ordinance #13232
Resolution #9336

SUBJECT: ANNUAL INSURANCE PLAN, APRIL 1, 2006

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to authorize the City Manager to maintain the general plan of insurance, making modifications that are consistent with the City's overall financial objectives;

To make additional purchases throughout the year, as needed for special events, lease and contract requirements, new programs, and builders risk insurance; and

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To pay premiums not to exceed \$754,780 for one year beginning April 1, 2006 was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: CONTRACT EXTENSION WITH CENTRAL PARKING SYSTEM, INC. FOR MANAGEMENT OF THE CITY'S OFF-STREET AND ON-STREET PARKING PROGRAMS

To authorize the City Manager to execute a contract extension with Central Parking Systems of North Carolina, Inc. to provide professional parking management services and be compensated as provided in the contract; and

To authorize the City Manager to make changes to the contract extension before executing it if changes do not increase the dollar amount of the contract, and do not decrease the goods and services to be provided to the City.

Note: This item was referred back to the administration – General Services Dept.

SUBJECT: FIVE YEAR LEASE AGREEMENT BETWEEN THE CITY OF DURHAM AND THE BRANCH BANK AND TRUST COMPANY (BB & T) FOR THE POLICE DEPARTMENT INVESTIGATIVE UNITS, 505 S. DUKE STREET

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to authorize the City Manager to execute a five-year lease with BB & T at 505 S. Duke Street at an annual rental fee of \$32,640 for the first year of the lease, with a 3% escalation on the anniversary date thereafter; and

To make changes to the lease prior to execution provided such changes do not change the intent of the agenda memo or increase the monthly rent was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: AMENDMENT #1 TO PROFESSIONAL SERVICES CONTRACT WITH POLYTECH, INC., FOR ADDITIONAL DESIGN SERVICES FOR 911 CALL CENTER GENERATOR UPGRADE AND UPS INSTALLATION AT POLICE HEADQUARTERS

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to authorize the City Manager to execute a contract amendment to the Professional Services Contract of Polytech, Inc. for additional design fees in the amount of \$11,550; and

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To authorize the City Manager to make changes to the contract amendment before executing it as long as the total contract amount will remain unchanged at \$41,340 and the intent of the contract amendment is not changed was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: DURHAM CITY-COUNTY INTERLOCAL COOPERATION
AGREEMENT FOR INSPECTIONS**

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to accept the revisions to the Interlocal Cooperation Agreement,

To authorize the City Manager to execute the Interlocal Cooperation Agreement; and

To authorize the City Manager to make modifications to the agreement provided that the modifications do not increase the dollar amounts in the agreement and are consistent with the general intent of the agreement approved by the City Council was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: CONTRACT FOR REIMBURSEMENT OF COSTS INCURRED FOR
LAW ENFORCEMENT ASSISTANCE AND ACCOMPANYING GRANT
PROJECT ORDINANCE – APPLE CHILL – TOWN OF CHAPEL HILL**

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to authorize the City Manager to accept the Grant Project Ordinance for the City of Durham and Town of Chapel Hill for Temporary Law Enforcement Assistance on Sunday, April 23, 2006 during “Apple Chill 2006”;

To adopt an Grant Project Ordinance for the City of Durham and Town of Chapel Hill for Temporary Law Enforcement Assistance on Sunday, April 23, 2006 during “Apple Chill 2006” in the amount of \$35,000; and

To authorize the City Manager to execute the contract for Reimbursement of Costs Incurred for Law Enforcement Assistance was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

Ordinance #13233

SUBJECT: CIVIC CENTER AUTHORITY BOARD UPDATE

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To receive a report from the Civic Center Authority Board regarding the 2005 Civic Center Market and Feasibility Study conducted by C.H. Johnson Consulting, Inc.

Note: A presentation was received at the March 9, 2006 Work Session.

SUBJECT: WEST VILLAGE II DEVELOPMENT AGREEMENT WITH FULLER PROPERTIES /BDV III, LLC.

To conduct a public hearing and to receive public comments to consider incentives for the project;

To authorize the City Manager to execute the development agreement with Fuller Street Development, LLC and other contracts and documents needed to meet the City's obligations under the development agreement so long as they do not increase the monies to be spent nor decrease the benefits to accrue to the City under the development agreement; and

To authorize the City Manager to make changes to the development agreement before it is executed as long as the changes do not increase the monies to be spent nor decrease the benefits to accrue to the City under the development agreement.

Note: This item was deferred to the March 23, 2006 Work Session.

**SUBJECT: ORDINANCE AMENDING SECTION 23 OF THE DURHAM CITY CODE
- CHAPTER 23 – WATER AND SEWER SYSTEMS**

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to adopt an Ordinance Amending Section 23 of the Durham City Code to incorporate the State's Required Standards for Nutrient Offset Provisions in the Performance Standards for Stormwater in the Neuse River Basin was approved at 7:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

Ordinance #13234

[ITEM ADDED TO AGENDA]

SUBJECT: HILLSIDE HIGH SCHOOL PRODUCTION OF THE PLAY "PERILOUS TIMES" AT THE CAROLINA THEATRE

To adopt a resolution by the City Council of the City of Durham authorizing the charge in the amount of \$9,906.00 to the contingency account of the General Fund.

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A motion was made by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to adopt a resolution by the City Council of the City of Durham authorizing the charge in the amount of \$9,906.00 to the contingency account of the General Fund.

Council Member Stith raised concerns with this item. He noted this is the first time he has seen this item, does not know how much money is in the contingency, where the county and school board stand regarding this issue, what are competing issues and what type of precedence would Council be setting.

City Manager Baker noted the administration and Mr. Tabb have been in communication concerning this item, dates have been reserved with the Carolina Theatre and if Council is not comfortable voting on this issue tonight, it could be discussed at the Work Session on Thursday.

Council Member Brown asked questions regarding the number and dates of productions and has this issue been discussed with school board.

Wendell Tabb, of Hillside High School, noted the dates have been set for Easter weekend, April 14-16, outlined why dates were reserved and noted the marketing of these dates have not started until we receive the support of the City of Durham. He outlined reasons for going to the Carolina Theatre with this play. After discussion with the central office staff and school principal, both are in support of this initiative.

Council Member Stith noted if the School Board and County are in favor of this item, what does that mean--will they be participating in the financial underwriting of some of the expenses. He noted he supports this item, but does not have enough information to make an informed decision tonight. He asked about time constraints.

Wendell Tabb, of Hillside High School, addressed the date issue and noted he would hope to receive the support of the City Council to move forward in a timely manner because the marketing process would be an issue if we continue to wait.

Council Member Woodard asked how much is left in the contingency account.

City Manager Baker noted he would bring a report to the March 23, 2006 Work Session to address questions raised by Council Members.

Council Member Clement made comments in support of this item.

City Clerk Gray informed Council that the only amount taken from the contingency was for Judge Bushfan's item that dealt with youth offenders and the balance in the contingency fund is in the range of \$83,000 - \$86,000.

Due to questions raised by Council, Mayor Bell noted he did not want to send an undivided vote on this item and spoke in support of moving this item to the Work Session.

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Wendell Tabb, of Hillside High School, noted he would like to move forward on this item; however, he would like to have a unanimous vote from Council.

SUBSTITUTE MOTION by Council Member Catotti seconded by Council Member Brown to refer this item to the March 23, 2006 Work Session was approved at 7:44 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: Mayor Pro Tempore Cole-McFadden and Council Member Clement. Absent: None.

[GENERAL BUSINESS AGENDA]

SUBJECT: 2005 YEAR-END CRIME REPORT

To receive the 2005 Year-End Crime Report.

Police Chief Chalmers presented the 2005 Year-end crime report. He gave an overview of the sworn staffing, all index crimes—lowest index in four years, index crime rate is down 15% in the past four years and 29% since 2000, and all violent crimes reached a four-year low in 2005, down 20% since 2000, rate per 100,000 residents dropped 25% in the past four years; all index property crimes—fewest reported in four years and all categories showed decreases in 2005, property crime dropped 17% since 2000, rate per 100,000 residents dropped 13% in the past four years and 29% since 2000. Also, he noted murder reached a 4-year high in 2005 with 35 murders, 69% of homicides have been cleared by arrests, rapes dropped by 4% in 2005, robbery—biggest decrease of all index crimes 23%; aggravated assaults increased by 16% in 2005; breaking and entering second lowest in four years; larceny lowest total in four years 1% decrease; auto theft lowest total in four years. He made comments on mobile substation deployment (417 resulting in 991.5 hours of use); violent crime involving firearms down 22% since 2003; gangs – 600 documented gang member in 2005 and 401 gang member-based crimes in 2005; drugs – 53% increase in drug-related arrests and 60% increase in drug raids.

Council Member Brown raised a concern with the gang membership disparity between the Police Department [600] and Sheriff Department (3,000).

For clarification, Chief Chalmers stated these numbers are based on gang validation and made comments that the Police Department and Sheriff's Department are moving forward with a gang assessment that includes definitions and validation of gang members.

Mayor Pro Tempore Cole-McFadden thanked Chief Chalmers and staff for all they are doing relative to Project Strike. She noted the community must come together, thanked the City Manager for his leadership and noted all the programs are working in the City of Durham. She asked Chief Chalmers does the Police Department need another mobile substation.

Chief Chalmers replied yes--a smaller one.

Council Member Stith asked questions relative to tracking of gang crimes.

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Chief Chalmers highlighted the impact of Crimestoppers as requested by Council Member Woodard and discussed efforts to get guns off the street as requested by Council Member Catotti.

Mayor Bell congratulated the Police Chief on the increase in clearance rate of violent crimes. Relative to other crimes the clearance rate is flat with no change, the Mayor asked what could be done to increase the clearance rate of index and property crimes.

Chief Chalmers noted it is going to take more resources and the ability to do more from what we obtain from crime scenes.

Mayor Bell asked the Police Chief to provide the national average clearance rate for index/property crimes at the Work Session.

Victoria Peterson, representing Triangle Citizens Rebuilding Communities, shared additional information she had on the Part 1 and Part 2 crimes, requested that the Police Department include juvenile crimes in its next report, made comments on 26,338 crimes that have been committed in the city and county, noted the police and sheriff departments need money and expressed concern that companies will not hire felons. She urged Council to get control of the crime in the African American community and to develop a 10-year plan to rid crime out of this community.

Mayor Pro Tempore Cole-McFadden asked Victoria Peterson what is purpose of her organization.

Victoria Peterson noted her organization works with individuals who have been incarcerated.

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Catotti to receive the 2005 Year-End Crime Report was approved at 8:33 p.m. by the following vote:
Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

**SUBJECT: SALE AND FINANCING OF 1018 BURCH AVENUE TO DURHAM
COMMUNITY LAND TRUSTEES, INC. (DCLT)**

To declare the property located at 1018 Burch Ave. (Parcel Reference #113616 and PIN # 0821-06-38-4243-L01) surplus;

To adopt a resolution authorizing the sale of 1018 Burch Ave. under the authority of G. S. 160A-279 to the Durham Community Land Trustees, Inc.;

To approve the mutually agreed upon terms and conditions for the City of Durham's sale and financing of the property located at 1018 Burch Avenue to Durham Community Land Trustees, Inc. (DCLT), as stipulated in the attached loan agreement and other related legal documents; and

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To authorize the City Manager to modify the loan agreement and other related legal documents before execution provided that the modifications do not increase or decrease the dollar and percentage amounts, and do not lessen the obligations of the Borrower.

Note: By a vote of 6/0, the City Council referred this item back to the administration at the request of the City Manager. Absent at time of Vote: Mayor Bell.

[GENERAL BUSINESS AGENDA – PUBLIC HEARINGS]

SUBJECT: CONFIRMATION OF ASSESSMENT ROLL - SIDEWALK ON CLERMONT ROAD (SOUTH SIDE)

Engineer Manager Lee Murphy made comments on this item.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

MOTION by Council Member Stith seconded by Council Member Woodard to receive public comments; and

To adopt a resolution confirming the assessment roll for a Sidewalk on Clermont Road (South Side) from Pelham Road to Grandale Drive was approved at 8:35 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: CONFIRMATION OF ASSESSMENT ROLL - SIDEWALK ON CLERMONT ROAD (SOUTH SIDE)

Engineer Manager Lee Murphy made comments on this item.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

MOTION by Council Member Stith seconded by Council Member Woodard to receive public comments; and

To adopt a resolution confirming the assessment roll for a Sidewalk on Clermont Road (South Side) from Pelham Road to Euclid Road and Euclid Road (East Side) from Clermont Road to Revere Road and Blanchard Road (East Side) from Euclid Road to N.C. Highway 54 was approved at 8:35 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

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**SUBJECT: STREET RENAMING – 1.178.11 LINEAR FEET OF BARNES AVENUE
(N06-01) – CITY OF DURHAM – NORTH OF TAYLOR STREET AND
SOUTH OF LIBERTY STREET**

To receive public comments to rename a 1.178.11 linear foot portion of Barnes Avenue.

City/County Planning Director Frank Duke noted this request was originally filed by the City to rename Barnes Avenue. He noted the original request from the City Manager's Office was to change the name of the street to Rosa Parks Lane. Subsequently, PAC 1 submitted an alternative proposal to rename the street as New Harvest Lane. Staff was directed to process both of these names through the system established by the City Council and in conjunction with the Board of Commissioners about 10 years ago to ensure there are no conflicts with utility and service providers. After circulation of names, Mr. Duke noted all providers indicated these names would have no impact on service and there is no direct duplication of these names although there are similar names to both. He requested Council to select one of the two names.

Mayor Bell opened the public hearing.

Mayor Pro Tempore Cole-McFadden asked if the development had been named.

City Manager Baker noted he spoke with representatives from PAC 1 and they recommended New Harvest Lane for the street and Eastway Village for the development.

Regarding the naming of the development, Mayor Pro Tempore Cole-McFadden asked if there was a connection between Barnes Avenue and Hope VI—Durham Housing Authority.

City Manager Baker noted the Durham Housing Authority is not a land owner on this part of the street; however, he did share with them Rosa Parks Lane and they were supportive of that name.

William Thomas, of 1208 Taylor Street, noted he met with some of the neighbors who live near Barnes Avenue and they would like to see the street renamed Eastway Street/Avenue.

Elizabeth Reddrick, of 1106 Akron Avenue, noted her mother was the first African American locally to defy Jim Crow law proceeding Rosa Parks. She asked Council to consider renaming that portion of Barnes Avenue after her mother Doris in recognition of her commitment, dedication and life in the City of Durham in lieu of Rosa Parks.

Mayor Pro Tempore Cole-McFadden made comments in support of a site named in honor of Rosa Parks.

William Thomas, of 1208 Taylor Street, noted that small section of Barnes Avenue would not do Rosa Parks any justice and would like to see something equal to Martin Luther King, Jr.

Lenora Smith, Chair of Naming Committee for PAC 1, shared background information on the committee's discussion on coming up with a name. She noted there was never a majority on what the street should be named, but there was an overwhelming consensus that the community

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residents did not want the street to be named Rosa Parks. Also, she stated through the PAC process, New Harvest Lane was selected because it received the most votes.

Council Member Catotti suggested that there be further discussion on the two names [Eastway and Reddrick] given tonight by PAC and that staff explore whether there is any duplication of service/utility providers, etc.

City Manager Baker noted due to time constraints he would like for Council to move forward with naming the development due to marketing. He made comments noting PAC 1 supports Eastway Village as the name of the development and Willard Perry Park for the open space.

Several Council Members spoke in support of referring this item to staff and the community to allow further discussion on the street re-naming issue.

Council Member Brown noted he supports Eastway Village as the name of the development.

Council Member Clement spoke in opposition to the street being named New Harvest Lane and in favor of Eastway Village as the name of the development.

Mayor Bell made comments on this item.

MOTION by Council Member Stith seconded by Council Member Catotti to name the development Eastway Village was approved at 9:06 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

City/County Planning Director Frank Duke noted staff could provide a report at the May 1, 2006 City Council Meeting.

City Manager Baker noted he would be discussing this issue off line with the Durham Housing Authority to see how this fits our schedule since some of the units would be coming on line in May or June.

MOTION by Council Member Woodard seconded by Council Member Stith to receive public comments to rename a 1.178.11 linear foot portion of Barnes Avenue;

To direct staff to review Reddrick and Eastway as possible choices along with New Harvest and Rosa Parks for renaming a 1.178.11 linear foot portion of Barnes Avenue was approved at 9:09 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: MAJOR SPECIAL USE PERMIT – DURHAM SCHOOL OF THE ARTS (M06-02) – DURHAM PUBLIC SCHOOLS – 400 NORTH DUKE STREET, LOCATED ON THE WEST SIDE OF NORTH DUKE STREET, NORTH OF WEST MORGAN STREET AND SOUTH OF MINERVA AVENUE

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To hold a quasi-judicial public hearing to consider a Major Special Use Permit for a public school in the RU-5 zoning district with the DDO-3 Overlay; and

To direct the Planning Director to prepare an order for adoption, for 1) approval, 2) approval with conditions or 3) denial, or to continue the hearing to a specified later meeting. (A draft order for approval with staff recommended conditions will be available at the meeting)

City Clerk Gray swore in the following individuals: Dan Jewell, Robert Sands, David Harris, Frank Duke and Michael Stock.

Mayor Bell explained the proceedings for a major special use permit.

The Mayor asked Council to reveal any possible conflicts and to withdraw from this hearing if necessary. Also, Mayor Bell asked if any Council Member had been exposed to any evidence or information that may not come out at the hearing tonight.

Mayor Bell asked the attorney for the applicant and for opponents or a representative to identify themselves.

Mayor Bell opened the public hearing.

Testimony from Staff

Michael Stock, of the City/County Planning Department, requested that the staff report and all attachments and exhibits be entered as a part of the permanent record and noted that all required mail and newspaper notification, along with required posting on the subject site has taken place. He noted this application was reviewed under the previous Zoning Ordinance pursuant to the provisions of Section 1.10.3 of the Unified Development Ordinance (UDO). Zoning designations discussed are in accordance with the UDO, but the analysis cites appropriate sections from the previous Zoning Ordinance.

Mr. Stock noted Coulter Jewell Thames, PA, on behalf of Durham Public Schools, proposes a 31,317 square-foot, two-story addition and a modified parking area to the Durham School of the Arts. The project area consists of 2.34 acres of the 16.63 acre Durham School of the Arts campus. The location of the addition is within the interior of the school campus, adjacent to the Weaver Auditorium and Media Center buildings. The existing parking area containing 111 spaces will be modified to allow for a vehicular turn-around and outdoor gathering area adjacent to the addition, along with an increase in the parking capacity to 115 spaces. No additional student capacity is proposed. Access to the school campus will remain from North Duke Street and Minerva Avenue. As required by the Durham Zoning Ordinance, public schools are required to receive a Major Special Use Permit in the RU-5 zoning district. As required under Policy 4.1.1e of the Comprehensive Plan, the proposal was reviewed and received recommendations by the Appearance Commission on October 20, 2005. The site is also located within the Downtown Design Overlay District-3 (DDO-3); in which it was reviewed and received recommendations by the Durham Design Review Team (DDRT) on November 22, 2005. As a contributing property

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within the Trinity Park National Register Historic District, the proposed addition was reviewed by the State Historic Preservation Office (SHPO), receiving a recommendation of approval on December 2, 2005. The associated site plan was recommended for approval by the Development Review Board on February 3, 2006, pending action on this Major Special Use Permit.

He noted as a reminder, Council must make findings of fact under Section 13.2.3 of the Durham Zoning Ordinance, that the proposed use is: 1) In harmony with the area and not substantially injurious to the value of properties in the general vicinity; 2) In conformance with all special requirements applicable to the use and in conformance with the Supplementary Requirements Section of this Ordinance; and 3) Will not adversely affect the health or safety of the public.

Further, Mr. Stock stated Council shall also give consideration to the review factors specified in section 13.2.4 as indicated on pages 2 thru 5 of the staff report. Council may impose conditions on the permit request that it deems necessary to ensure that this project is compatible and in harmony with the surrounding neighborhood. He noted staff will provide a recommendation to the Council at the conclusion of testimony for this case.

Mayor Bell asked if there were questions for staff. There were no questions.

Testimony from Applicant

Dan Jewell, representing the applicant, spoke in support of this major special use permit. He noted this is first major new construction at the campus in 30 years and discussed two pro-active neighborhood meetings.

Robert Sands, of Durham Public Schools, outlined purpose of expansion [31,000 plus square foot building] which would allow the children of the Kerr Building to move them over into a more centralized location within the DSA campus.

Dan Jewell, representing the applicant, discussed the three findings of fact. He noted the proposal is harmonious in that the school has existed for 80 years and has developed in harmony with the neighborhood over that time, site is very contained and surrounded by streets, will be preserving the street trees, exterior vegetation around the property on the Gregson Street side. He noted the new building and related site improvements will meet all the requirements of the ordinance. He noted this proposal would improve the situation at the school, there will be no increase in enrollment and traffic, one of the three driveways will be closed to day-to-day traffic, will enhance the access for fire emergency vehicles and that solid waste collection would go into an enclosure.

Mayor Bell asked if there were questions for the applicant. There were no questions.

No one spoke in opposition to this major special use permit.

Staff Recommendation

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Mr. Stock noted based upon the technical requirements of the Durham Zoning Ordinance and the testimony presented during the hearing, staff recommends approval subject to the following condition: The project shall be completed in accordance with an approved site plan, including any additional corrections and verifications. Council may approve the order to grant the use permit tonight if no additional conditions are placed upon the permit.

Mayor Pro Tempore Cole-McFadden asked the applicant if the visitor parking would be affected by this proposal.

Dan Jewell, representing the applicant, replied no. He noted this proposal would be adding additional parking spaces.

Mayor Bell closed the public hearing.

MOTION by Council Member Clement seconded by Mayor Pro Tempore Cole-McFadden to adopt an order granting, upon certain conditions, a Major Special Use Permit for a public school, Durham School of the Arts (M06-02) was approved at 9:23 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

Ordinance #13231

SUBJECT: MAJOR SITE PLAN – DURHAM SCHOOL OF THE ARTS (D05-819)

City/County Planning Director Frank Duke made comments on this item.

Council Member Catotti asked staff questions relative to the UDO regarding landscaping and lighting standards--off-site glare.

Dan Jewell noted the lighting in some areas will meet the minimum lighting standards and most of the areas of the parking lot will be brighter, but will not be casting any glare off the property beyond what the ordinance allows.

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Clement to approve a major site plan for Durham School of the Arts, submitted by Coulter Jewell Thames, PA and DTW Architects & Planners Ltd., on behalf of Durham Public Schools, to construct a 31,137 square foot two-story classroom addition and renovation and expansion of an 111 space parking lot to 115 spaces on 2.13 acres of a 16.5 acre campus, zoned RU-5 and DDO-3, the site is located at 400 North Duke Street, on the west side of North Duke Street, north of West Morgan Street, and south of Minerva Avenue, PIN 0821-07-79-3635 was approved at 9:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

[ITEMS PULLED FROM CONSENT AGENDA]

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SUBJECT: HOME CHDO (COMMUNITY HOUSING DEVELOPMENT ORGANIZATION) GRANT AGREEMENT WITH REBUILD DURHAM, INC.

MOTION by Council Member Clement seconded by Council Member Woodard to authorize the expenditure of 2003-04 HOME funds in an amount not to exceed \$20,000;

To authorize the City Manager to execute a Community Housing Development Organization Grant Agreement with Rebuild Durham Inc. in an amount not to exceed \$20,000 funded from FY 03-04 HOME funds;

To authorize the City Manager to modify the agreement and other related documents before execution, provided that the modifications do not increase the dollar amount of the agreement and do not lessen the obligations of the contractor;

To authorize the City Manager to amend the existing HOME Investment Partnership Loan Agreement with Rebuild Durham, Inc., as previously amended on August 15, 2003, to provide for the following: 1) extend the term from the current expiration date of August 15, 2005 to April 1, 2007; 2) to grant relief from the provision that restricts renting to tenants at a maximum rental rate not in excess of 30% of tenants monthly gross income while maintaining rents affordable to households at or below 60% of the area median income; and 3) to change the provision that requires RDI to only purchase and rehab single family homes to allow RDI to purchase and rehab multiple unit dwellings; and

To authorize the City Manager to modify the agreement and other related documents before execution, provided that the modifications do not increase the dollar amount of the agreement and do not lessen the obligations of the contractor was approved at 9:26 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANT SUB-RECIPIENT AGREEMENT – DURHAM AFFORDABLE HOUSING COALITION, MINOR HOME REPAIR PROGRAM

Council Member Stith asked staff to provide a budget comparison for Home Repair vs. Demolition of Homes.

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Stith to authorize the expenditure of \$50,000 from FY 2005/2006 CDBG funds;

To authorize the City Manager to execute a sub-recipient agreement with the Durham Affordable Housing Coalition for the development and operation of the Minor Home Repair Program; and

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To authorize the City Manager to make minor changes to the Agreement that do not increase the contract amount, lessen the contractor's duties, or extend the term of the contract beyond October 31, 2006;

To authorize the expenditure of \$50,000 from FY 2005/2006 CDBG funds;

To authorize the City Manager to execute a sub-recipient agreement with the Durham Affordable Housing Coalition for the development and operation of the Minor Home Repair Program; and

To authorize the City Manager to make minor changes to the Agreement that do not increase the contract amount, lessen the contractor's duties, or extend the term of the contract beyond October 31, 2006 was approved at 9:27 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Clement, Stith and Woodard. Noes: None. Absent: None.

[GENERAL BUSINESS AGENDA]

SUBJECT: BEER AND WINE PERMIT AND LICENSE

Council Member Clement expressed concern with this item relative to youth and the increase in the number of new establishments. He asked his colleagues how can we control the flow of alcohol when the lives of young people are being impacted.

Mayor Bell asked the Assistant City Attorney what a no vote would mean.

Assistant City Attorney Karen Sindelar noted Council would be voting against the granting of the local privilege license and that cannot be done without a quasi judicial hearing.

City Manager Baker noted to vote yes or no has no impact on the restaurants ability to sell alcohol, but this would be an opportunity for the City to collect a fee which is governed by the state.

Mayor Bell asked staff to clarify if Council could have an impact on establishments selling beer and wine.

Finance Director Ken Pennoyer noted if Council votes no that would deny establishments the ability to pay the City.

Mayor Bell noted if Council is serious we should bring this issue of withholding permits for certain establishments to the attention of our local delegation to see if they could move forward.

Council Member Catotti noted an impact can be made by having a police presence at the ABC Board and that PACs are informed of which establishments are going forward.

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Assistant City Manager Voorhees addressed the issue of why the Museum of Life & Science would need a beer and wine license. He commented on their rentals of rooms and their ability to offer various catering packages with the rental.

Council Member Clement spoke in support of pursuing this issue through the state legislature and asked if the Legislative Package could be amended to include this item.

Council Member Brown made comments on the enforcement of illegal selling of alcohol.

Relative to the 49 new licenses, Finance Director Ken Pennoyer noted some of them are new owners of existing businesses and not a new location.

Assistant City Attorney Karen Sindelar noted she would provide a report at March 23, 2006 Work Session. She made comments noting that state law pre-empts us from addressing this issue on a local level.

Mayor Bell asked Assistant City Attorney Sindelar to seek advice from the North Carolina League of Municipalities on this issue.

MOTION by Council Member Brown and seconded by Council Member Woodard to approve local beer and wine privilege licenses for the listed establishments was approved at 9:48 p.m. by the following vote: Ayes: Mayor Bell and Council Members Brown, Catotti, Stith and Woodard. Noes: Mayor Pro Tempore Cole-McFadden and Council Member Clement. Absent: None.

Status	Acct Name	Physical Address	Type
Renewal	Ankad Mini Mart	2929 Angier Ave	Convenience
New	Atlantic Food Mart	2024 Angier Ave	Convenience
Renewal	Buy Quick Food Mart	419 S Briggs Ave	Convenience
Renewal	Carolina Food Mart	1002 N Alston Ave	Convenience
Renewal	Community Store	106 S. Guthrie Ave.	Convenience
Renewal	Cozart's Food and Produce	2717 Cheek Rd	Convenience
Renewal	Kwik Stop Food Mart	1600 Holloway St	Convenience
New	Taqueria Mi Pueblo	223 The Village Shopping Center	Store
Renewal	Lighthouse Food Mart	2944 Holloway St	Convenience
Renewal	Chichos Restaurant	111 S Alston Ave	Restaurant
		Total PAC 1	10
Renewal	Al's Food Mart	2905 Hillsborough Rd	Convenience
Renewal	Bowling Exxon Service	4530 Roxboro Road	Convenience
Renewal	Cheng's Garden Chinese Restaurant	3438 Hillsborough Rd	Restaurant
Renewal	China Inn	2701 Hillsborough Rd	Restaurant
Renewal	Cole Mill Billiards	1647 Cole Mill Rd	Pool Room
Renewal	Cross Creek BP	3828 Guess Rd	Convenience

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Renewal	Dales Indian Cuisine	811 Ninth Street, Space 150	Restaurant
Renewal	Durham Courtyard by Marriott	1815 Front Street	Hotel
Renewal	Eckerd Drugs #8555	3798 Guess Road	Drug Store
New	Grasshopper	2002 Hillsborough Rd	Restaurant
Renewal	Hills Market #2	201 E Geer Street	Convenience
Renewal	Italian Pizzeria Restaurant	3500 N Roxboro Rd	Restaurant
Renewal	Joy Food Stores #466	2109 Roxboro Road	Convenience
Renewal	Kangaroo Express #3091	3705 N Duke Street	Convenience
Renewal	Mi Pequeno Honduras	2201 N Roxboro Rd	Restaurant
New	Museum of Life and Science	433 Murray Avenue	Museum
Renewal	New Dragon Inn	3823 Guess Rd	Restaurant
Renewal	North Durham Citgo	4535 N Roxboro Rd	Convenience
Renewal	Pizza Inn of Durham	3906 N Duke Street	Restaurant
Renewal	Pizza Palace of Durham	3218 Guess Rd	Restaurant
New	Pops Pizzeria	3438 Hillsborough Rd	Restaurant
Renewal	R&W Stop & Shop	3310 Dearborn Drive	Convenience
Renewal	Roxboro Rd BP	2211 Roxboro Rd	Convenience
Renewal	Ruby Tuesday Inc #2760	1058 W Club Blvd	Restaurant
Renewal	Sabor Latina	2845 N Roxboro Rd	Restaurant
Renewal	Smoker Express #863	3793 Guess Road	Convenience
Renewal	Yamato	1058 W Club Blvd	Restaurant
New	AB Mart	3801 North Duke Street	Convenience
New	Meelo Restaurant	1821 Hillandale Road Suite #3	Restaurant
Renewal	Camilla's Italian Restaurant	5110 N Roxboro Rd	Restaurant
New	Quik Mart of Durham	3801 N. Duke Street	Convenience
New	Grand China Buffet and Grill	3500 N Roxboro Rd	Restaurant
New	Broad Street Café	1114 Broad St	Café
New	Green Room	1108 Broad Street	Bar
Renewal	Jump Shot Billards	3405 University Drive	Bar
New	Tienda Mi Pueblo	1418 Avondale Dr #12	Store
		Total PAC 2	36
New	Amante Gourmet Pizza	6209 Falconbridge Rd	Restaurant
Renewal	Armadillo Grill on Campus	Bryan Center - Duke University	Restaurant
Renewal	Bennett Pointe Grill	4625 Hillsborough Rd	Restaurant
New	Cheesecake Factory Restaurant	8030 Renaissance Pkwy	Restaurant
Renewal	China Palace Restaurant	5210 Garrett Rd	Restaurant
Renewal	Doyle's Sports Bar	3219 Chapel Hill Rd	Bar
Renewal	Durham Ale House	3911 Durham Chapel Hill Blvd	Restaurant
Renewal	Durham Catering Company	2512 University Drive	Restaurant

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New	Galaxy Supermarket	1233 University Dr	Grocery Store
New	Hampton Inn & Suites	6121 Farrington Rd	Hotel
Renewal	Kashmir Indian Cuisine	2511 Durham Chapel Hill Blvd	Restaurant
Renewal	Kurama Japanese Seafood Steakhouse	3644 Chapel Hill Blvd	Restaurant
Renewal	La Ley Restaurant	4226 Garrett Rd	Restaurant
Renewal	Mayflower Seafood Restaurant #1	3742 Chapel Hill Blvd	Restaurant
Renewal	Millennium Hotel Durham	2800 Campus Walk Ave	Hotel
New	Nantucket Grill	5925 Farrington Road	Restaurant
Renewal	Nordstrom	6910 Fayetteville Rd	Dept. Store
Renewal	Original Steakhouse and Sports	3400 Westgate Drive	Restaurant
Renewal	PF Chang's China Bistro	6801 Fayetteville Rd	Restaurant
Renewal	Pulcinellas Italian Restaurant	4711 Hope Valley Road	Restaurant
Renewal	Sage and Swift on Campus	209 W Union Bldg, Faculty Commons	Restaurant
New	Shells Steak House	2818 Chapel Hill Road	Restaurant
Renewal	Tops Petroleum Corp #14	6007 Farrington Rd	Convenience
Renewal	Total Wines & More	3615 Witherspoon Blvd	Retail Store
Renewal	Town N Country #7	3101 University Dr	Convenience
New	Tri Star Mobil	2900 Chapel Hill Blvd	Convenience
Renewal	Uncle Harry's General Store	1917 Yearby Ave	Restaurant
New	Nasher Museum Café	2001 University Drive	Café
Renewal	Yamazushi Japanese Restaurant	4711 Hope Valley Rd	Restaurant
New	Target Store T-2069	8210 Renaissance Pkwy	Retail Store
New	Tienda Y Carniceria "La Marqueta"	4701 Hillsborough Rd	Grocery Store
New	Randy's Pizza	1102 Broad St	Restaurant
New	Kangaroo Express #3781	106 NC Hwy 54	Convenience
New	Kmart # 7340	4215 University Drive	Retail Store
		Total PAC 3	34
Renewal	Akashi Japanese Grill and Sushi	2223 E Highway 54 Suite #RS	Restaurant
Renewal	Babettes	5826 Fayetteville Rd	Restaurant
Renewal	China Express	2223 Highway 54	Restaurant
Renewal	China One Restaurant	4325 Highway 55	Restaurant
Renewal	Courtyard by Marriott	301 Residence Inn Blvd	Hotel
New	Food World	401 E Lakewood Avenue	Grocery Store
Renewal	Hilton Raleigh Durham	4810 Old Page Road	Hotel
Renewal	Kangaroo Express #3101	2229 NC Hwy 54 East	Convenience
Renewal	Los Paisanos Mexican	4853 Hwy 55	Restaurant
Renewal	Sage and Swift Gourmet Catering Inc	2505 Whilden Dr	Catering
New	Sheraton Imperial Hotel	4700 Emperor Blvd	Hotel

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New	Spice & Curry	2105 NC Hwy 54E Ste E	Restaurant
Renewal	Tandoor Indian Restaurant	5410 Hwy 55, Ste 1	Restaurant
New	The Food Mart #16	4319 Highway 55	Convenience
Renewal	Town N Country #3	3700 Fayetteville Street	Convenience
Renewal	Carniceria Toledo Butcher Shop	2223 E Hwy 54 Ste G&F	Grocery Store
New	Time Out Bar & Grill	4310 S. Miami Blvd Bldg 3	Bar
New	Kangaroo Express #3780	3321 Apex Hwy 55	Convenience
New	Shilla Oriental Market	2107 Allendown Drive	Grocery Store
New	Wine.Com	2410 Presidential Drive Suite 103	Wine Retailer
		Total PAC 4	20
Renewal	Another Thyme	109 N Gregson Street	Restaurant
New	Cinellis Pizza	607 Broad Street	Restaurant
New	Cosmic Cantina	1920 1/2 Perry Street	Restaurant
Renewal	James Joyce Irish Pub	912 W Main Street	Restaurant
New	Mellow Mushroom	410 Blackwell St	Restaurant
Renewal	Satisfaction Restaurant & Bar	905 W Main St	Restaurant
Renewal	Torero's Mexican Restaurant	748 Ninth Street	Restaurant
New	Trinity Park Family Fare #432	1016 W. Main Street	Convenience
New	Tyler's Restaurant & Taproom	324 Blackwell St Ste 400	Restaurant
New	Mt Fuji Asian Bistro Sushi & Bar	905 W Main Street Ste 21B	Restaurant
Renewal	George's Garage	737 Ninth Street	Restaurant
Renewal	Fishmonger's Seafood Mkt	806 W Main St	Restaurant
Renewal	Devines Restaurant & Sports Bar	904 W Main St	Restaurant
		Total PAC 5	13
New	Billy's Food Mart	5801 Roxboro Road	Convenience
New	Circus Food Store #6	3801 Wake Forest Hwy	Convenience
New	E & B Discounts	3302 A Cheek Rd	Retail Store
New	Falls Village Golf	115 Falls Village Lane	Country Club
New	Hollow Rock Racquet & Swim Club	5100 Erwin Rd	Country Club
New	Kemp's Seafood House	115 Page Point Circle	Restaurant
New	Roberts Country Store	602 Sherron Rd	Country Store
New	Edna's and Lucky's Bar	1629 Glenn School Rd	Bar
New	Quick Mart	5021 Wake Forest Hwy	Convenience
Renewal	Quik Mini Mart	2820 Cheek Rd	Convenience
New	Smith Mexican American Grill	619 Stallings Road	Restaurant

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There being no further business to come before the City Council, the meeting was adjourned at 9:48 p.m.

Linda E. Bratcher
Deputy City Clerk

D. Ann Gray, CMC
City Clerk